

MESSAGE NO: 9365113

MESSAGE DATE: 12/31/1998

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: FIN-Final Determination

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-533-813

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 08/05/1998 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: FINAL DETERMINATION FOR CERTAIN PRESERVED MUSHROOMS FROM INDIA (A-533-813)

MESSAGE NO: 9365113

DATE: 12 31 1998

CATEGORY: ADA

TYPE: FIN

REFERENCE:

REFERENCE DATE:

CASES: A - 533 - 813

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PERIOD COVERED: 08 05 1998 TO

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: FINAL DETERMINATION FOR CERTAIN PRESERVED MUSHROOMS
FROM INDIA (A-533-813)

1. ON DECEMBER 31, 1998, THE DEPARTMENT OF COMMERCE WILL PUBLISH IN THE FEDERAL REGISTER ITS FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN PRESERVED MUSHROOMS FROM INDIA.
 2. THE PRODUCTS COVERED BY THIS DETERMINATION ARE CERTAIN PRESERVED MUSHROOMS, WHETHER IMPORTED WHOLE, SLICED, DICED, OR AS STEMS AND PIECES. THE PRESERVED MUSHROOMS COVERED UNDER THIS INVESTIGATION ARE THE SPECIES AGARICUS BISPORUS
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AND AGARICUS BITORQUIS. "PRESERVED MUSHROOMS" REFER TO MUSHROOMS THAT HAVE BEEN PREPARED OR PRESERVED BY CLEANING, BLANCHING, AND SOMETIMES SLICING OR CUTTING. THESE MUSHROOMS ARE THEN PACKED AND HEATED IN CONTAINERS INCLUDING BUT NOT LIMITED TO CANS OR GLASS JARS IN A SUITABLE LIQUID MEDIUM, INCLUDING BUT NOT LIMITED TO WATER, BRINE, BUTTER OR BUTTER SAUCE. PRESERVED MUSHROOMS MAY BE IMPORTED WHOLE, SLICED, DICED, OR AS STEMS AND PIECES. INCLUDED WITHIN THE SCOPE OF THE INVESTIGATION ARE "BRINED" MUSHROOMS, WHICH ARE PRESALTED AND PACKED IN A HEAVY SALT SOLUTION TO PROVISIONALLY PRESERVE THEM FOR FURTHER PROCESSING. EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE THE FOLLOWING: (1) ALL OTHER SPECIES OF MUSHROOM INCLUDING STRAW MUSHROOMS; (2) ALL FRESH AND CHILLED MUSHROOMS, INCLUDING "REFRIGERATED" OR "QUICK BLANCHED MUSHROOMS"; (3) DRIED MUSHROOMS; (4) FROZEN MUSHROOMS; AND (5) "MARINATED," "ACIDIFIED" OR "PICKLED" MUSHROOMS, WHICH ARE PREPARED OR PRESERVED BY MEANS OF VINEGAR OR ACETIC ACID, BUT MAY CONTAIN OIL OR OTHER ADDITIVES. THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS CLASSIFIABLE UNDER SUBHEADINGS 2003.10.0027, 2003.10.0031, 2003.10.0037, 2003.10.0043, 2003.10.0047, 2003.10.0053, AND 0711.90.4000 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTS"). ALTHOUGH THE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-533-813
4. FOR IMPORTS OF CERTAIN PRESERVED MUSHROOMS FROM INDIA, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER AUGUST 5, 1998.

EFFECTIVE DECEMBER 31, 1998, CUSTOMS SHALL REQUIRE FOR ENTRIES A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

MFR/PRODUCER	CUSTOMS ID	MARGIN PERCENTAGE
EXPORTER	NUMBER	RATE

AGRO DUTCH FOODS LTD.	A-533-813-001	6.28%
PONDS (INDIA) LTD.	A-533-813-002	14.19%
ALPINE BIOTECH LTD.	A-533-813-003	243.87%
MANDEEP MUSHROOMS	A-533-813-004	243.87%
ALL OTHERS	A-533-813-000	10.87%

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON,

USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT DAVID J. GOLDBERGER OR EVERETT KELLY, AD/CVD ENFORCEMENT, GROUP 2, OFFICE 5 IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-4136 OR (202) 482-4194, RESPECTIVELY.

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party